

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAMES O'DELL WALTON

§

v.

§

C.A. NO. C-07-289

PAMELA F. THOMPSON, ET AL.

§

§

§

ORDER

This is a civil rights action filed by a federal prisoner pursuant to 42 U.S.C. § 1983. (D.E.

- 1). Plaintiff has three strikes pursuant to 28 U.S.C. § 1915(g) of the Prison Litigation Reform Act: Walton v. TDCJ Inmate Trust Fund, No. 6:93-cv-110 (E.D. Tex. Apr. 23, 1993) (first strike); Walton v. Dallas County, et al., No. 3:96-cv-808 (N.D. Tex. Apr. 30, 1996) (second strike); Walton v. Johnson, et al., No. 97-41297 (5th Cir. Dec. 16, 1998) (third strike).

An evidentiary hearing via teleconference was set for July 17, 2007 at 11:00 a.m. In light of plaintiff's status as a three strikes litigant, this hearing is cancelled.

Plaintiff has applied for leave to proceed in forma pauperis. (D.E. 2). On July 3, 2007, an order for initial partial filing fee and collection order was issued that instructed the Clerk to file the plaintiff's pleadings without prepayment. (D.E. 5, at 1). In light of plaintiff's status as a three strikes litigant, that order is vacated. The Clerk shall send a copy of this Order to TDCJ–Office of the General Counsel, P.O. Box 13084, Austin, Texas 78711.

ORDERED this 13th day of July 2007.


BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE